

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

SHARON EASTERLING

PLAINTIFF

VS.

CIVIL ACTION NO. 3:03CV568LN

**GLAXO WELLCOME, INC.; GLAXO
WELLCOME PLC; GLAXOSMITHKLINE
PLC and JAMES O. SONES, M.D.**

DEFENDANTS

ORDER

This matter came before the court on the Defendant Smithkline Beecham Corporation's Motion to Compel Plaintiff to Respond to Discovery. Although a Certificate of Good Faith is attached to the Motion, it is not signed by both parties, nor is there an affidavit from counsel as to his attempts to have it executed by counsel opposite, as is required by Unif. Local R. 37.1(A). However, because this omission was not discovered by the court until the time for responding to the Motion had long passed, and because the Plaintiff has not responded to the Motion, it will be granted as confessed. Continued failure to cooperate in the discovery process will result in the imposition of sanctions, which could include a recommendation that this matter be dismissed.

IT IS, THEREFORE, ORDERED that the Defendant Smithkline Beecham Corporation's Motion to Compel Plaintiff to Respond to Discovery is hereby **granted**. The Plaintiff shall submit full and complete responses to the discovery propounded by this Defendant on or before January 23, 2006.

IT IS SO ORDERED, this the 9th day of January, 2005.

S/Alfred G. Nicols, Jr.
UNITED STATES MAGISTRATE JUDGE